IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.2906 OF 2005

IN

REVIEW PETITION (LODGING) NO.40 OF 2005

IN

SUIT NO.1358 OF 1989

...

Shri Mohanlal G. Kukreja
and Anr. ...Petitioners

v/s.

Commercial Chambers Tenants
Association & ors. ...Respondents

...

M/s.A.V.Jain Associates for the Petitioners.

None for the Respondents.

...

CORAM: D.K.DESHMUKH, J.

DATED: 25TH APRIL,2007

P.C.:

1. This Notice of Motion is taken out for condination of delay in filing the review petition. Review is sought of the order dated 16-6-2005 passed in Notice of Motion No.1312 of 1999. By that order the court has disposed of the motion taken out for initiating contempt proceedings against the Respondent. Delay is of 60 days. According to the learned Counsel appearing for the Petitioner, the reason for the delay is contained in paragraph 3 of the affidavit. It reads as under:-

> 3. I say that after the passing of the said order dated 16-6-2005, I was not feeling well and was suffering from giddiness and back-pain. Becuase of which I was totally disturbed and was not in a position to concentrate on work fully, hence this matter escaped from my mind. Hence, till the first week of September, 2005, I could not give instructions to my Advocates to draft and file the above Review Petition.

2. The allegations are totally vague. No documentary evidence has been filed in support of those allegations. Therefore the allegations are incapable of being accepted. Notice of Motion is, therefore, disposed of.

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